

to work out all these fears that are being raised. Those states have found it possible to live with the system and the citizens of those states have supported them consistently. Iowa is going to join that number and I think other states will follow. I think it would be nice if the State of Nebraska adopted this measure by its Legislature rather than through the petition drive and referendum which is now under way. In closing, all I would say is that Senator Lewis is not talking about the bill that is before you. This bill does not discriminate against cans. It is an even deposit. It has no impact on the jobs in the can industry and it does create jobs in the grocery industry. For that reason, if you are concerned about employment, you should support LB 818, not oppose it.

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: Mr. President and members of the Legislature, I rise in opposition to the kill motion. One of the things that is interesting about the bottle bill, which we have never been able to debate on the floor because of the pressure tactics applied to a particular committee in this Legislature, is the ridiculous arguments that are raised but supported by great amounts of money, the same sort of thing that has happened in Iowa. Well, the people of Iowa has took a look at the \$150,000 plus budgets spent against the bottle bill in Iowa and they said, enough is enough. We know precisely what you are doing. You are trying to buy the Legislature. You are trying to keep us from doing what is right for the public interest and that is precisely what has been done here. And I can guarantee you if this bill does not pass and the petition drive goes forward, it will be successful and then we will see a media campaign the likes of which this state has never seen before to try to buy the votes and put all these false arguments, all these ridiculous predictions upon the public and suggest that they are true. Well the people of this state, despite all those premade postcards, would like to have this bottle bill but they are being confused, obviously, by some of the tactics that are being used. I suppose you can expect that. You hope for better but you expect that. The major point I would like to make, however, today is this. We are talking about a bill as if it is something new. There is nothing new about reusable bottles. Think back to the 1950 when practically every bottle of beer or bottle for soda pop was returnable. Let's look at some history on this subject. Since 1935, the Nebraska Liquor Control Commission has had the power of fixing and determining the nature, form and capacity of all containers used in alcoholic liquor. 1935. Also since 1935, the Commission has had the power of "determining the nature of and representation to be shown upon the labels attached to the containers." In 1939, the Nebraska Supreme Court upheld the right of the Liquor Control Commission to totally ban, totally ban a 32 oz. container from Nebraska markets, Marrs and Marrs versus Carmichael. Current Liquor Control Commission rules and regulations established appropriate liquid capacities for liquor containers. They provide labeling requirements, rule 4 and 5, Nebraska Liquor Control Commission. Let's take a look at the history of the use of these throwaway bottles in this state or throwaway cans. Available figures show that a rapid recent increase...there is a rapid recent increase in the use of throwaways rather than the returnable bottles. Throwaway steel cans first